

Practitioner's Docket No. NR7322US.CON

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Donald E. Abrino, John Crooks, Ronald Barrett, and Shyam Miglani

Application No.: 10/726,086

Group No.: 1742

Filed: December 2, 2003

Examiner: Scott R. Kastler

For: REFRACTORY LINING FOR METALLURGICAL VESSEL

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

XX deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

XX with sufficient postage as first class mail.

37 C.F.R. § 1.10*

_____ as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

_____ facsimile transmitted to the Patent and Trademark Office, (703) _____ - _____

Signature

Christine Goellner

Date: May 6, 2004

Christine Goellner

(type or print name of person certifying)

** Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.*

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	21	– 21	= 0	x \$ 18.00	= \$ 0.00		
INDEP.	5	– 5	= 0	x \$ 86.00	= \$ 0.00		
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 0.00	= \$ 0.00		
				TOTAL ADDIT. FEE	\$ 0.00		

No additional fee for claims is required.

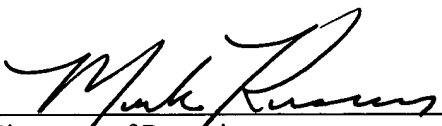
FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 50-0537.

If an additional fee for claims is required, charge Account No. 50-0537.

Date: May 6, 2004

Reg. No.: 31,115
Tel. No.: 440-684-1090
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Signature of Practitioner

Mark Kusner
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Application No. 10/726,086
Amendment dated March 31, 2004
RESPONSE TO OFFICE ACTION dated May 6, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF : Donald E. Abrino et al.
FOR : REFRACTORY LINING FOR
METALLURGICAL VESSEL
SERIAL NO. : 10/726,086
FILED : December 2, 2003
CONFIRMATION NO. : 3421
EXAMINER : Scott R. Kastler
ART UNIT : 1742
ATTORNEY DOCKET NO. : NR7322US.CON

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action dated March 31, 2004, please amend the above-identified U.S. continuation patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

Terminal Disclaimer under CFR Section 1.321(c) is attached hereto.